

STATE OF COLORADO

EXECUTIVE CHAMBERS

136 State Capitol
Denver, CO 80203 - 1792
Phone (303) 866-2471



John W. Hickenlooper
Governor

October 21, 2011

Monika Bandyopadhyay
Implementation and Support Unit
U.S. Department of Education
400 Maryland Avenue, 7E241
Washington, DC 20202

Dear Ms. Bandyopadhyay:

Please see the attached revised Colorado Maintenance-of-Effort Submission under the Educations Jobs Fund. This updated version reflects a correction to an error included in the original document submitted 9/29/2010. In the original submission, the level of state support for public IHEs for FY 2006 and FY 2011 was listed as \$555,004,289. Based on the state's understanding of funding levels at this time, the correct figure for state support for public IHEs in both FY 2006 and FY 2011 should have been \$555,289,004. This error is the result of a typo made by the Governor's Office and does not impact Colorado's maintenance-of-effort eligibility.

Also, please note that the attached application reflects a revision to the state tax collection figure for calendar year 2009. The original figure of \$8,134,768,000, reported in the 9/29/2010 application, reflected the information as was available on the US Census Bureau website at the time of the initial submission. The US Census Bureau has subsequently revised the 2009 tax collection figure on its website to \$8,222,645,000. To address this issue, the attached application has been revised to reflect the US Census data as is currently posted on its website.

Please include this updated document in your files.

Sincerely,

Kevin Patterson
Deputy Chief of Staff

State Maintenance-of-Effort Submission

under the

Education Jobs Fund Program



U.S. Department of Education
Washington, D.C. 20202

OMB Number: 1810-0703
Expiration Date: 2-28-2011

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0703. The time required to complete this information collection is estimated to average 2 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Education Jobs Fund Program, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Ave., S.W., Room 3E108, Washington, D.C. 20202-3118.

Instructions for the State Maintenance-of-Effort Submission under the Education Jobs Fund Program

U.S. Department of Education

September 8, 2010

In its application for funding under the Education Jobs Fund (Ed Jobs) program, each State assured that it would comply with the maintenance-of-effort (MOE) requirements in section 101(10)(A) of Public Law 111-226. Each State also assured that, within 60 days of the date of the State's grant award, it would submit to the U.S. Department of Education (Department) the most current applicable MOE data available.

A State that receives Ed Jobs funds must maintain fiscal effort for education for fiscal year (FY) 2011 in one of four ways:

1. Maintain FY 2011 dollar levels of support at levels that are not less than FY 2009 levels;
2. Maintain FY 2011 percentages of support at percentages that are not less than FY 2010 percentages;
3. Maintain FY 2011 dollar levels of support at levels that are not less than FY 2006 levels; or
4. Maintain FY 2011 percentages of support at percentages that are not less than FY 2006 percentages.

Each method is described in detail in the attachments to these instructions. Using the applicable form in the attachments, each State must provide data only for the method by which the State intends to demonstrate that it will comply with the MOE requirements. A State must also provide source documentation substantiating the reported MOE data. Details on the source documentation are provided in the attachments.

Each State should submit its data and documentation to EducationJobsFund@ed.gov. The submission is due to the Department not later than 60 days after the date of the State's grant award under the Ed Jobs program. If you have any questions, please contact Jim Butler at 202-453-7500 or James.Butler@ed.gov.

**State Maintenance-of-Effort (MOE) Submission
under the Education Jobs Fund Program**

STATE:

COLORADO

**MOE Method 3: Comparing Fiscal Year 2011 Dollar Levels of Support with
Fiscal Year 2006 Levels**

NOTE: This method is available only to States with State tax collections for calendar year 2009 that are less than State tax collections for calendar year 2006.

For State fiscal year (FY) 2011, the State will maintain State support for elementary and secondary education (*in the aggregate*) at not less than the level of such support for State FY 2006; and

For State FY 2011, the State will maintain State support for public institutions of higher education (IHEs) (not including support for capital projects or for research and development or tuition and fees paid by students) at not less than the level of such support for State FY 2006.

State Tax Collections Data

\$8,762,235,000

State tax collections for calendar year 2006.

~~\$8,134,768,000~~  \$8,222,645,000 State tax collections for calendar year 2009.

<1> Data Source: State quarterly tax collections data from U.S. Census Bureau
http://www.census.gov/govs/ntax/historical_data.html

FY 2006 Baseline Data

\$2,870,089,261

The level of State support for elementary and secondary education (*in the aggregate*) for FY 2006.

\$555,004,289 \$555,289,004

The level of State support for public IHEs for FY 2006.

Projected FY 2011 Data

\$3,399,817,396

The projected level of State support for elementary and secondary education (*in the aggregate*) for FY 2011.

\$555,004,289 \$555,289,004

The projected level of State support for public IHEs for FY 2011.

Affirmation of MOE Data

To the best of my knowledge and belief, all of the data in this submission are true and correct and are substantiated by the accompanying documentation.

Kern N. Aronson
Governor or Authorized Representative (Printed Name)

[Signature]
Signature of Governor or Authorized Representative

10/18/11
Date

MOE Method 3 Source Documentation

To document State tax collections for calendar years 2006 and 2009, a State may use the sum of the State quarterly tax collections data from the U.S. Census Bureau (Census), which are available at http://www.census.gov/govs/qtax/table_3.php. A State may provide revised State tax collection data if it has available more recent auditable data that differs from the information that was reported to Census. A State may, if it chooses, exclude from State tax collections those tax revenues that may not be used to provide support for elementary, secondary, or postsecondary education. For example, a State may exclude gasoline taxes that generate revenue that is available to support only transportation projects. If a State chooses to exclude dedicated taxes, it must do so for both calendar years 2006 and 2009. Furthermore, as part of its application, the State must identify the taxes excluded and the amounts of the State tax collections under such taxes.

For the FY 2006 baseline data, a State must provide documentation substantiating the State's final appropriations or expenditures for elementary and secondary education and for public IHEs. Such documentation may include tables or text from official State budget documents (*e.g.*, a State budget summary or table of expenditures from the State's accounting system).

For the projected FY 2011 data, a State must provide enacted or estimated appropriations levels. Such documentation may include a Governor's budget proposal, legislative budget proposals, or enacted appropriations.

Following the close of State FY 2011, the Department will be collecting final appropriations or expenditure data for that fiscal year to verify that the State met the statutory MOE requirements.

COLORADO: MOE Method 3 Source Documentation

Level of State Support for Public Institutions of Higher Education (IHES)

FY 2006 Baseline Data:

FY 2005-06 State Appropriations	TOTAL Institutions of Higher Education	Adams State College	Mesa State College	Metropolitan State College of Denver	Western State College	Colorado State University System	Fort Lewis College	University of Colorado System	Colorado School of Mines	University of Northern Colorado	Colorado Community College System	Local District Junior Colleges	Area Vocational Schools
Stipends		3,508,800	10,173,600	36,184,800	3,722,400	47,056,800	6,216,000	64,624,800	5,949,600	21,871,200	89,296,800	12,101,934	8,505,528
Fee-for-service contracts		7,607,831	7,136,695	-	4,539,318	62,127,192	1,219,161	86,048,041	11,238,380	11,719,709	16,645,215		
Senate Bill 05-209 (pg. 78-82)	517,493,804	11,116,631	17,310,295	36,184,800	8,261,718	109,183,992	7,435,161	150,672,841	17,187,980	33,590,909	105,942,015		
Stipends		-	-	-	2,400	7,200	12,000	24,000	2,400	-	12,000		
Fee-for-service contracts		-	-	-	(2,400)	(7,200)	(12,000)	(24,000)	(2,400)	-	(12,000)		
Senate Bill 05-158 (pg. 2-3)	-	-	-	-	-	-	-	-	-	-	-	-	-
Stipends		-	-	-	-	-	-	-	-	-	-		
Fee-for-service contracts		962,966	2,337,689	2,905,836	1,546,441	3,472,410	1,175,173	6,545,091	1,315,140	1,003,093	9,036,161	500,000	-
House Bill 06-1370 (pg. 2-5)	30,800,000	962,966	2,337,689	2,905,836	1,546,441	3,472,410	1,175,173	6,545,091	1,315,140	1,003,093	9,036,161		
Stipends		(127,200)	(403,200)	(2,301,600)	(129,600)	(1,651,200)	(244,800)	(1,228,800)	153,600	(710,400)	(10,116,000)		
Fee-for-service contracts		196,925	643,608	2,989,532	213,588	2,614,826	392,288	3,114,850	136,905	1,293,276	12,158,602		
House Bill 06-1385 (pg. 313-316)	6,995,200	69,725	240,408	687,932	83,988	963,626	147,488	1,886,050	290,505	582,876	2,042,602	-	-
Stipends		3,381,600	9,770,400	33,883,200	3,595,200	45,412,800	5,983,200	63,420,000	6,105,600	21,160,800	79,192,800	12,601,934	
Fee-for-service contracts		8,767,722	10,117,992	5,895,368	6,296,947	68,207,228	2,774,622	95,683,982	12,688,025	14,016,078	37,827,978		
TOTAL - FY 2005-06	555,289,004	12,149,322	19,888,392	39,778,568	9,892,147	113,620,028	8,757,822	159,103,982	18,793,625	35,176,878	117,020,778		8,505,528

Projected FY 2011 Data:

FY 2010-11 State Appropriations	TOTAL Institutions of Higher Education	Adams State College	Mesa State College	Metropolitan State College of Denver	Western State College	Colorado State University System	Fort Lewis College	University of Colorado System	Colorado School of Mines	University of Northern Colorado	Colorado Community College System	Local District Junior Colleges	Area Vocational Schools
Stipends		2,869,980	9,962,160	33,176,820	2,568,660	38,987,460	4,238,940	55,346,160	5,327,040	15,646,320	99,351,900		
Fee-for-service contracts		9,279,342	9,926,232	6,601,748	7,323,487	74,632,568	4,518,882	103,757,822	13,466,585	19,530,558	18,782,252		
House Bill 10-1376 (pg. 67-72)	555,289,004	12,149,322	19,888,392	39,778,568	9,892,147	113,620,028	8,757,822	159,103,982	18,793,625	35,176,878	118,134,152	12,601,934	7,392,154
Stipends		2,869,980	9,962,160	33,176,820	2,568,660	38,987,460	4,238,940	55,346,160	5,327,040	15,646,320	99,351,900		
Fee-for-service contracts		9,279,342	9,926,232	6,601,748	7,323,487	74,632,568	4,518,882	103,757,822	13,466,585	19,530,558	18,782,252		
TOTAL - FY 2010-11	555,289,004	12,149,322	19,888,392	39,778,568	9,892,147	113,620,028	8,757,822	159,103,982	18,793,625	35,176,878	118,134,152	12,601,934	7,392,154

COLORADO: MOE Method 3 Source Documentation

Level of State Support for elementary and secondary education (in the aggregate) for FY 2006.

FY 2006 Baseline Data:

FY 2005-06

Senate Bill 05-209 (pg. 40):	\$2,820,869,410
Senate Bill 05-200 (pg. 16):	16,419,753
House Bill 06-1215 (pg. 4):	32,800,098
House Bill 06-1385(pg. 296)*:	0
Senate Bill 07-239 (pg. 286)*:	0
Total FY 2005-06 Appropriation:	\$2,870,089,261

**Bills had a net zero state share impact as both refinanced state funding sources only.*

Projected FY 2011 Data:

FY 2010-11

House Bill 10-1376 (pg. 31):	\$3,762,296,850
House Bill 10-1369 (pg. 10):	<363,476,454>
Total FY 2010-11 Appropriation**:	\$3,399,817,396

***This projection does not include the Emergency Supplemental titled "Contingency Reserve to Assist School Districts with Cash Flow" which was submitted by the Governor's Office of State Planning and Budgeting to the Joint Budget Committee for the September 20, 2010 hearing. This was not included in this total as it is unknown if this will be considered state support pending the outcome of the November 2, 2010 election relating to Amendment 61 (a constitutional amendment impacting financing in local and state government).*

Note: The amounts identified here are based on Colorado's aggregate state support levels through the state's primary elemental and secondary education funding formula. This is identified as the "State Support for Total Program" line item in the annual State Budget. This is identical to the state support for primary elementary and secondary education which Colorado has utilized for the State Fiscal Stabilization Funds of the American Recovery and Reinvestment Act of 2009.

STATE NAME: COLORADO	
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Complete this form and clearly label every document with Section Number and Title from this document. For example, "State Name - Section II - Allocations to LEAs - Award Letter." PLEASE NUMBER ALL PAGES. Please provide the specific State point of contact for each of the documents (and/or line items) listed.

DOCUMENTATION	PROVIDED (Check X)	NOT PROVIDED (Check X)	NAME OF DOCUMENT SUBMITTED (Use this title consistently for header of document and name of email attachment)	COMMENTS If not provided, please explain why (i.e. not available, not applicable)
Maintenance of Effort Calculations				
Determine the methodology used for reporting the Education Jobs Fund MOE data within the most recently submitted application. Please provide the documentation requests associated with the reporting method used.				
Method 3: Maintain FY 2011 dollar levels of support at levels that are not less than FY 2006 levels NOTE: This method is available only to States with State tax collections for calendar year 2009 that are less than State tax collections for calendar year 2006				
A. For each of FY06 and FY09 provide the following information: CRITERIA 1. Provide a summary of state tax collections totaling the reported values on the Ed Jobs application for calendar years 2006 and 2009. Identify taxes excluded and the amounts of the State tax collections under such taxes.	X		"Colorado 2006 and 2009 US Census Bureau Tax Collection Data"	Please note that the attached document reflects a revision to the state tax collection figure for calendar year 2009. The original figure of \$8,134,768,000, reported in the 9/29/2010 application, reflected the information as was available on the US Census Bureau website at the time of the initial submission. The US Census Bureau has subsequently revised the 2009 tax collection figure on its website to \$8,222,645,000. To address this issue, the attached application has been revised to reflect the US Census data as is currently posted on its website.
A. For each of FY06 and FY09 provide the following information: CRITERIA 2. Provide the US Census Bureau quarterly tax collection report, corresponding to the summary data provided, identifying all tax types included and excluded from calculation. State quarterly tax collections data (Table 3) from the U.S. Census Bureau (Census), is available at: http://www.census.gov/govs/qtax/table_3.php	X		"Colorado 2006 and 2009 US Census Bureau Tax Collection Data"	Please note that the attached document reflects a revision to the state tax collection figure for calendar year 2009. The original figure of \$8,134,768,000, reported in the 9/29/2010 application, reflected the information as was available on the US Census Bureau website at the time of the initial submission. The US Census Bureau has subsequently revised the 2009 tax collection figure on its website to \$8,222,645,000. To address this issue, the attached application has been revised to reflect the US Census data as is currently posted on its website.
B. For FY06 provide the following information: 1. SUMMARY TABLE A detailed revenue, appropriation or expenditure summary table aggregating to the State level of support reported on the Ed Jobs application for both elementary and secondary education and institutions of higher education for each year and a brief explanation of where each line item on the summary table was derived.		2006 not needed		
B. For FY11 provide the following information: 2. SUMMARY TABLE A detailed appropriation summary table aggregating to the State level of support for both elementary and secondary education and institutions of higher education for each year and a brief explanation of where each line item on the summary table was derived.	X		DOCUMENT 1: "COLORADO: MOE Method 3 Source Documentation Level of State Support for elementary and secondary education (in the aggregate) for FY 2006" DOCUMENT 2: "COLORADO: MOE Method 3 Source Documentation Level of Support for Public Institutions of Higher Education (IHES)"	
C. For FY06 provide the following information: BACK UP DOCUMENTATION - For each line item on the summary table, provide the corresponding CAFR (Comprehensive Annual Financial Report) for each year. - If the line item information is not available in the CAFR, provide the applicable appropriation bill(s). - If the line item is not available in the CAFR nor the appropriation bill, provide documentation from the State's accounting system supporting the line item amount.	X		DOCUMENT 1: "COLORADO: MOE Method 3 Source Documentation Level of State Support for elementary and secondary education (in the aggregate) for FY 2006" DOCUMENT 2: "COLORADO: MOE Method 3 Source Documentation Level of Support for Public Institutions of Higher Education (IHES)"	
D. For FY11 provide the following information: BACK UP DOCUMENTATION For each line item on the summary table, provide the corresponding enacted or appropriation levels. Such documentation may include the Governor's budget proposal, legislative budget proposals, enacted appropriations or deferral legislation.	X		DOCUMENT 1: "COLORADO: MOE Method 3 Source Documentation Level of State Support for elementary and secondary education (in the aggregate) for FY 2006" DOCUMENT 2: "COLORADO: MOE Method 3 Source Documentation Level of Support for Public Institutions of Higher Education (IHES)"	
E. For each of FY06 and FY11, provide the following information: CROSSWALK INFORMATION On the summary tables and corresponding supporting documentation provided above, clearly mark the crosswalk of each line item on the summary table with the corresponding dollar amount on the CAFR, appropriation bill, or other provided documentation.	2006 not needed/ 2011 Provided		DOCUMENT 1: "COLORADO: MOE Method 3 Source Documentation Level of State Support for elementary and secondary education (in the aggregate) for FY 2006" DOCUMENT 2: "COLORADO: MOE Method 3 Source Documentation Level of Support for Public Institutions of Higher Education (IHES)"	

Colorado US Census Bureau 2006 and 2009 Tax Collection Data

Colorado- Section: A

	Q1	Q2	Q3	Q4	
2006 Total Taxes	1,864,029		2,712,441	2,169,840	2,015,925
Property tax	X		X	X	X
General sales and gross receipts	533,719		527,697	571,721	501,370
Motor fuel sales taxes	156,762		147,382	208,326	148,607
Alcoholic beverages	8,197		8,374	8,793	7,494
Public utilities	2,192		2,386	2,366	2,092
Insurance	57,053		45,242	42,486	38,701
Tobacco products	54,134		56,636	61,635	58,060
Pari-mutuels	829		902	861	742
Amusements	31,516		35,963	16,377	27,854
Other selective sales and gross receipts	X		X	X	X
Alcoholic beverages	1,419		1,641	1,433	1,481
Public utilities	X		X	X	X
Motor vehicles	50,852		59,933	52,373	49,435
Motor vehicle operator	2,875		3,068	2,728	2,251
Corporations in general	636		557	483	2,999
Hunting and fishing licenses	4,412		9,348	16,772	44,902
Amusements	206		160	181	170
Occupation and business licenses	11,326		9,608	9,378	14,219
Other licenses taxes	314		3	214	346
Individual income taxes	862,482		1,493,961	1,029,384	997,715
Corporation net income taxes	57,833		201,780	113,887	92,632
Death and gift taxes	3,252		221	363	95
Severance taxes	24,020		107,579	30,079	24,760
Documentary and stock transfer taxes	X		X	X	X
Other miscellaneous taxes	X		X	X	X
2006 TOTAL	8,762,235				

<1> Data Source: State quarterly tax collections data from U.S. Census Bureau http://www.census.gov/govs/ntax/historical_data.htm

	Q1	Q2	Q3	Q4	
2009 Total Taxes	1,828,316	2,333,248	2,057,874	2,003,207	
Property tax	X	X	X	X	
General sales and gross receipts	513,402	480,999	528,421	501,958	
Motor fuel sales taxes	141,702	140,140	161,348	145,830	
Alcoholic beverages	8,554	8,655	9,476	8,651	
Public utilities	2,894	3,055	3,528	2,853	
Insurance	66,908	46,105	45,703	40,933	
Tobacco products	52,015	48,054	55,485	51,100	
Pari-mutuels	172	144	392	333	
Amusements	29,132	30,188	16,228	26,308	
Other selective sales and gross receipts	X	X	3,966	5,171	
Alcoholic beverages	1,414	1,552	1,458	1,410	
Public utilities	X	X	X	X	
Motor vehicles	58,027	54,362	84,314	103,272	
Motor vehicle operator	2,833	4,453	4,070	4,623	
Corporations in general	3,994	3,482	3,580	3,524	
Hunting and fishing licenses	27,832	10,157	18,112	27,500	
Amusements	187	232	184	226	
Occupation and business licenses	10,489	10,020	10,411	10,294	
Other licenses taxes	274	8	18	746	
Individual income taxes	858,664	1,267,936	1,005,620	1,011,952	
Corporation net income taxes	-2,647	145,181	87,603	41,994	
Death and gift taxes	58	58	65	11	
Severance taxes	52,412	78,467	17,892	14,518	
Documentary and stock transfer taxes	X	X	X	X	
Other miscellaneous taxes	X	X	X	X	
2009 TOTAL	8,222,645				

<2> Data Source: State quarterly tax collections data from U.S. Census Bureau http://www.census.gov/govs/ntax/historical_data.htm

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 05-158

BY SENATOR(S) Teck, Taylor, Bacon, Entz, Evans, May R., Owen, Takis, Tapia, Groff, Grossman, Hagedorn, Hanna, Hillman, Jones, Keller, Kester, Lamborn, McElhany, Mitchell, Sandoval, Shaffer, Spence, Tochtrop, Tupa, Veiga, Wiens, Williams, Windels, Gordon, and Isgar; also REPRESENTATIVE(S) Witwer, Berens, Borodkin, Carroll M., Carroll T., Cloer, Coleman, Frangas, Gallegos, Harvey, Hoppe, Jahn, Kerr, King, May M., McFadyen, Merrifield, Paccione, Penry, Rose, Solano, Soper, Stafford, Stengel, and Todd.

CONCERNING IN-STATE TUITION STATUS FOR COLORADANS WHO WERE MEMBERS OF THE MILITARY, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 23-7-103 (1) (c) (I), Colorado Revised Statutes, is amended to read:

23-7-103. Presumptions and rules for determination of status.

(1) Unless the contrary appears to the satisfaction of the registering authority of the institution at which a student is registering, it shall be presumed that:

(c) (I) A person does not gain or lose in-state status by reason of his or her presence in any state or country while a member of the armed forces of the United States; but a member of the armed forces ~~may be~~ IS eligible ~~to obtain~~ FOR in-state status ~~for the member after being~~ IF THE MEMBER IS domiciled in Colorado for twelve continuous months ~~and complying with the provisions of this article or~~, PRIOR TO ENLISTMENT AND RETURNS TO COLORADO WITHIN SIX MONTHS FOLLOWING DISCHARGE FROM THE MILITARY. A MEMBER OF THE ARMED FORCES SHALL BE ELIGIBLE TO OBTAIN IN-STATE STATUS, notwithstanding the length of his or her residency, upon moving to Colorado on a permanent change-of-station basis; except that such in-state status shall not be considered in determining limitations on maximum enrollment placed on institutions of higher education in Colorado and such in-state status shall not apply to members of the armed forces of the United States who attend education programs on military bases and such in-state status shall also be subject to the limitations in subparagraph (II) of this paragraph (c). A member of the armed forces may also apply for in-state tuition classification for any of his or her dependents, including but not limited to a spouse, upon meeting the requirements of this section. After qualifying as an in-state student and while continuously enrolled as an undergraduate or graduate student at an institution of higher education in Colorado, a dependent of a member of the armed forces of the United States on active duty shall not lose the dependent's in-state tuition status if the member is transferred outside of Colorado. A person who is a dependent of a member of the armed forces of the United States who was on active duty in Colorado during the person's last year of high school, and who attends a public institution of higher education in Colorado within twelve months after graduating from a high school in Colorado, shall be eligible for in-state tuition; except that such a person is not eligible for in-state tuition under this provision if the person has attended an institution of higher education outside of Colorado.

SECTION 2. Appropriations -- Adjustment to the 2005 long bill.

(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of higher education, college opportunity fund, for student stipend payments, for the fiscal year beginning July 1, 2005, the sum of sixty thousand dollars (\$60,000), or so much thereof as may be necessary.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of higher education, governing boards, for the fiscal year beginning July 1, 2005, the sum of sixty thousand dollars

(\$60,000) cash funds exempt, or so much thereof as may be necessary. Said sum shall be from the college opportunity fund created in section 23-18-202 (1) (a), Colorado Revised Statutes.

(3) The general fund appropriation for the department of higher education, fee-for-service contracts, for the fiscal year beginning July 1, 2005, is decreased by sixty thousand dollars (\$60,000).

(4) The cash funds exempt appropriation for the department of higher education, governing boards, for the fiscal year beginning July 1, 2005, is decreased by sixty thousand dollars (\$60,000). Said sum shall be from fee-for-service contracts as specified in subsection (3) of this section.

(5) For the implementation of this bill, the cash funds exempt appropriation in the annual general appropriations act, to the department of higher education, governing boards, from the students' share of tuition, for the fiscal year beginning July 1, 2005, shall be reduced by one hundred eighty-eight thousand seven hundred eight dollars (\$188,708).

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART VI
DEPARTMENT OF HIGHER EDUCATION**

(1) DEPARTMENT ADMINISTRATIVE OFFICE

Health, Life, and Dental	458,152			155,572 ^a	302,580 ^b	
Short-term Disability	9,543			4,766 ^a	4,006 ^b	771
S.B. 04-257 Amortization						
Equalization Disbursement	16,185			8,060 ^a	6,814 ^b	1,311
Salary Survey and Senior						
Executive Service	251,030			101,792 ^a	133,115 ^b	16,123
Workers' Compensation	15,278			6,237 ^a	9,041 ^b	
Legal Services for 448 hours	28,874			21,656 ^a	7,218 ^b	
Purchase of Services from						
Computer Center	6,312			3,093 ^a	3,219 ^b	
Payment to Risk Management						
and Property Funds	31,282			2,964 ^a	28,318 ^b	
Leased Space	<u>382,352</u>			382,352 ^a		
	1,199,008					

^a Of these amounts \$604,108(T) shall be from statewide and departmental indirect cost recoveries, and \$82,384 shall be from various sources of cash funds throughout the Department.

^b These amounts shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

(2) COLORADO COMMISSION ON HIGHER EDUCATION

(A) Administration⁴⁷

Administration	2,076,833			2,018,038(T) ^a (26.8 FTE)	58,795(T) ^a	
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			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Financial Aid Research for the General Assembly ^{48, 49, 50}	5,000				5,000(T) ^a (0.1 FTE)		
	<hr/> 2,081,833						
(B) Division of Private Occupational Schools	515,015				515,015 ^a (7.8 FTE)		
(C) Special Purpose							
Western Interstate Commission for Higher Education (WICHE)	108,000				108,000(T) ^a		
WICHE - Optometry	399,000				399,000(T) ^a		
Advanced Technology Grants	825,000					825,000(T) ^b	
Veterinary School Program Needs	<hr/> 285,000				285,000 ^c		
	1,617,000						
		4,213,848					

^a These amounts shall be from statewide and departmental indirect cost recoveries.

^b This amount shall be from Waste Tire Recycling Development Cash Fund moneys deposited in the Advanced Technology Fund, and it is shown for informational purposes only, since moneys in the Advanced Technology Fund are continuously appropriated pursuant to Section 23-1-106.5 (9), C.R.S.

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

° Of this amount, \$122,600 shall be from the Western Interstate Commission on Higher Education, and \$162,400(T) shall be from statewide and departmental indirect cost recoveries.

(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID

(A) Need Based Grants

General Need Based Grants	42,627,088	
Governor's Opportunity Scholarships	<u>8,000,000</u>	
	50,627,088	50,627,088

(B) Merit Based Grants	1,500,000	1,500,000
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(C) Work Study⁵¹	15,003,374	15,003,374
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(D) Special Purpose

Required Federal Match	3,376,350	2,076,350		1,300,000
Veterans'/Law Enforcement/ POW Tuition Assistance	214,401	214,401		
National Guard Tuition Assistance Fund ⁵²	410,207	410,207		
Native American Students/Fort Lewis College	7,299,164	7,299,164		
Early Childhood Professional Loan Repayment Program ⁵³	<u>5,000</u>			5,000(T) ^a
	11,305,122			

^a This amount shall be from federal Child Care Development Funds transferred from the Department of Human Services.

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

78,435,584

(4) COLLEGE OPPORTUNITY FUND PROGRAM

(A) Stipends

Stipends for an estimated
120,252 eligible full-time
equivalent students attending
state institutions at \$2,400.00
per 30 credit hours 288,604,800

Stipends for an estimated
1,610 eligible full-time
equivalent students attending
participating private
institutions at \$1,200.00 per 30
credit hours 1,932,000
290,536,800

290,536,800

**(B) Fee-for-service Contracts
with State Institutions** 208,281,542

208,281,542

498,818,342

(5) GOVERNING BOARDS

**(A) Trustees of Adams State
College^{54, 55}** 17,557,980

17,557,980^a
(286.9 FTE)

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a Of this amount, \$11,116,631(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$6,370,949 shall be from the students' share of tuition, and \$70,400 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,508,800 shall be from student stipend payments and \$7,607,831 shall be from fee-for-service contracts.

(B) Trustees of Mesa State

College^{54, 55}	31,626,940	31,626,940 ^a (405.5 FTE)
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^a Of this amount, \$17,310,295(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$14,166,645 shall be from the students' share of tuition, and \$150,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$10,173,600 shall be from student stipend payments and \$7,136,695 shall be from fee-for-service contracts.

(C) Trustees of Metropolitan

State College of Denver^{54, 55}	81,230,387	81,230,387 ^a (964.9 FTE)
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^a Of this amount, \$36,184,800(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$44,499,587 shall be from the students' share of tuition, and \$546,000 shall be from academic fees and academic facility fees. The amount from the College Opportunity Fund Program shall be from student stipend payments.

(D) Trustees of Western

State College^{54, 55}	17,317,010	17,317,010 ^a (200.8 FTE)
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^a Of this amount, \$8,261,718(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$8,850,292 shall be from the students' share of tuition, and \$205,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,722,400 shall be from student stipend payments and \$4,539,318 shall be from fee-for-service contracts.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(E) Board of Governors of the Colorado State University System^{54, 55}							
	273,704,789					273,704,789 ^a (3,417.9 FTE)	
^a Of this amount, \$109,183,992(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$158,169,007 shall be from the students' share of tuition, \$6,181,790 shall be from academic fees and academic facility fees, and \$170,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$47,056,800 shall be from student stipend payments and \$62,127,192 shall be from fee-for-service contracts.							
(F) Trustees of Fort Lewis College^{54, 55}							
	31,569,036					31,569,036 ^a (413.3 FTE)	
^a Of this amount, \$7,435,161(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$22,937,875 shall be from the students' share of tuition, \$1,150,000 shall be from academic fees and academic facility fees, and \$46,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$6,216,000 shall be from student stipend payments and \$1,219,161 shall be from fee-for-service contracts.							
(G) Regents of the University of Colorado^{54, 55}							
	605,747,633					605,747,633 ^a (5,971.2 FTE)	
^a Of this amount, \$150,672,841(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$437,717,261 shall be from the students' share of tuition, \$16,700,000 shall be from academic fees and academic facility fees, and \$657,531(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$64,624,800 shall be from student stipend payments and \$86,048,041 shall be from fee-for-service contracts.							

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(H) Trustees of the Colorado School of Mines^{54, 55}							
	55,152,413					55,152,413 ^a (465.9 FTE)	
^a Of this amount, \$17,187,980(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$37,825,433 shall be from the students' share of tuition, and \$139,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$5,949,600 shall be from student stipend payments and \$11,238,380 shall be from fee-for-service contracts.							
(I) University of Northern Colorado^{54, 55}							
	82,573,694					82,573,694 ^a (1,000.0 FTE)	
^a Of this amount, \$33,590,909(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$48,270,785 shall be from the students' share of tuition, and \$712,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$21,871,200 shall be from student stipend payments and \$11,719,709 shall be from fee-for-service contracts.							
(J) State Board for Community Colleges and Occupational Education State System Community Colleges^{54, 55}							
	237,303,250					237,303,250 ^a (4,627.7 FTE)	
^a Of this amount, \$105,942,015(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$124,457,529 shall be from the students' share of tuition, and \$6,903,706 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$89,296,800 shall be from student stipend payments and \$16,645,215 shall be from fee-for-service contracts.							
		1,433,783,132					

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(6) LOCAL DISTRICT JUNIOR COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.							
		12,101,934	12,101,934				
(7) ADVISORY COMMISSION ON FAMILY MEDICINE							
Residency Training Programs		1,576,502				1,576,502(T) ^a	
^a This amount shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing.							
(8) DIVISION OF OCCUPATIONAL EDUCATION							
(A) Administrative Costs	900,000		664,923		235,077(T) ^a		
	(9.0 FTE)						
^a This amount shall be from statewide and departmental indirect cost recoveries.							
(B) Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S.¹⁵							
	19,996,048					19,996,048(T) ^a	
^a This amount shall be a transfer from the Department of Education.							
(C) Area Vocational School Support							
	8,505,528		8,505,528				
(D) Sponsored Programs							
(1) Administration	2,217,012						
	(25.2 FTE)						

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(2) Programs	<u>15,321,254</u>						
	17,538,266						17,538,266

(E) Colorado First Customized Job Training³¹ 2,725,022 2,725,022(T)^a

^a This amount shall be a transfer from the Governor's Office.

49,664,864

(9) AURARIA HIGHER EDUCATION CENTER⁵⁴

Administration	14,322,136				14,322,136(T) ^a		
	(128.3 FTE)						
Auxiliary Revenue	<u>50,000</u>				50,000 ^b		
		14,372,136					

^a This amount shall be from the appropriations for the State Board of Community Colleges and Occupational Education, the Trustees of Metropolitan State College, and the Regents of the University of Colorado.

^b This amount shall be from auxiliary revenue.

(10) COUNCIL ON THE ARTS

Program Costs	1,416,000		700,000			16,000 ^a	700,000
			(2.0 FTE)				

^a This amount shall be from gifts, grants, and donations.

(11) STATE HISTORICAL SOCIETY

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(A) Cumbres and Toltec Railroad Commission	10,000		10,000				
(B) Sponsored Programs	200,055 (4.0 FTE)					34,343 ^a	165,712
^a This amount shall be from grants and contracts with various sources of cash funds exempt.							
(C) Auxiliary Programs	1,478,135 (14.5 FTE)				1,338,135 ^a	140,000 ^b	
^a This amount shall be from museum shop sales, micro-photo services, public education programs, membership and publication services, traveling exhibits, rentals, and special event fees.							
^b This amount shall be from donations and gifts.							
(D) Gaming Revenue							
Gaming Cities Distribution	5,378,197					5,378,197 ^a	
Statewide Preservation Grant Program	16,436,324 (18.0 FTE)					16,436,324 ^a	
Society Museum and Preservation Operations	5,801,705 (90.9 FTE)				696,740 ^b	4,464,965 ^a	640,000
	<u>27,616,226</u>						

^a These amounts shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

^b This amount shall be from museum admission fees, user charges, and other sources of cash funds.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	29,304,416					
TOTALS PART VI (HIGHER EDUCATION)^{4,5}	<u>\$2,124,885,766</u>	<u>\$597,931,311</u>	<u></u>	<u>\$20,658,633^a</u>	<u>\$1,485,933,639^a</u>	<u>\$20,362,183</u>

^a Of these amounts, \$540,799,999 contains a (T) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 4 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2005-06. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.
- 5 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.
- 15 Department of Education, Assistance to Public Schools, Categorical Programs; and Department of Higher Education, Division of Occupational Education, Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S. -- The Department of Education is requested to work with the Department of Higher Education and to provide to the Joint Budget Committee information concerning the distribution of funds available for each categorical program for state fiscal year 2004-05. For grant programs, such information is requested to include the following: (a) The total number and dollar amount of requests received; (b) the amount awarded or distributed to each district, board of cooperative services, or administrative unit; and (c) a description of the criteria utilized to evaluate requests and to determine grant awards. For other programs, such information is requested to include the following: (a) The total amount distributed to each district, board of cooperative services, or administrative unit; (b) the total amount that each entity would be eligible to receive pursuant to state law and/or State Board of Education rule; and (c) a description of the method or formula used to determine the amount for which entities are eligible and to distribute funds.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
31	Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Colorado First Customized Job Training; and Department of Higher Education, Division of Occupational Education, Colorado First Customized Job Training -- This program is requested to submit to the Joint Budget Committee by November 1, 2005, a detailed plan for accountability, including review criteria for selection of companies to participate, the number of new jobs created by the programs, the number of unemployed and underemployed individuals who were trained and employed by this program, the amount of new personal income, state personal, and corporate income tax generated by this program, the time period for repayment of state investment in this program, and the number of persons taken off state support programs and the money saved thereby.						
<u>47</u>	Department of Higher Education, Colorado Commission on Higher Education, Administration -- It is the intent of the General Assembly that the department, working in conjunction with its divisions shall look for efficiencies through reorganization of functions within the department and its divisions to save staff and resources where possible. Such reorganization shall be complete by September 1, 2005.						
48	Department of Higher Education, Colorado Commission on Higher Education, Administration, Financial Aid Research for the General Assembly -- The Department should continue its efforts to provide data on the efficiency and effectiveness of state financial aid in expanding access to higher education for Colorado residents. The Department is requested to provide to the Joint Budget Committee by November 1 of each year an evaluation of financial aid programs, which should include, but not be limited to: 1) an estimate of the amount of federal, institutional, and private resources (including tax credits) devoted to financial aid; 2) the number of recipients from all sources; 3) information on typical awards; and 4) the typical debt loads of graduates. To the extent possible the Department should differentiate the data based on available information about the demographic characteristics of the recipients. To the extent that this information is not currently available, the Department is requested to provide a reasonable estimate, or identify the additional costs that would be associated with collecting the data.						
49	Department of Higher Education, Colorado Commission on Higher Education, Administration, Financial Aid Research for the General Assembly -- The Department is requested to submit a report to the Joint Budget Committee by November 1, 2005, comparing the retention rates of students receiving Governor's Opportunity Scholarships with retention rates for low-income students receiving other types of financial aid packages.						
<u>50</u>	Department of Higher Education, Colorado Commission on Higher Education, Administration, Financial Aid Research for the General Assembly -- The Department is requested to submit a report to the Joint Budget Committee by November 1 each year documenting the base level of institutional financial aid at each institution and demonstrating that at least 20 percent of any increase in undergraduate resident tuition revenues in excess of inflation is being devoted to need-based financial assistance pursuant to section 23-18-202 (3) (c), C.R.S.						
51	Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Work Study -- It is the intent of the General Assembly to allow the Colorado Commission on Higher Education to roll forward two percent of the Work Study appropriation to the next fiscal year.						

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
52	Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, National Guard Tuition Assistance Fund - It is the intent of the General Assembly that only the minimum funds necessary to pay tuition assistance for qualifying applicants pursuant to section 23-5-111.4, C.R.S. will be transferred to the National Guard Tuition Fund administered by the Department of Military Affairs. Any funds appropriated in this line item that are in excess of the minimum necessary to pay tuition assistance for qualifying applicants may be used for need based financial aid.						
53	Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, Early Childhood Professional Loan Repayment Program; and Department of Human Services, Division of Child Care, Early Childhood Professional Loan Repayment Program -- It is the intent of the General Assembly that no more than 10 percent of all expenditures from this line item shall be for program administration.						
54	Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges; and Auraria Higher Education Center -- Notwithstanding the limitations set forth in subsection (3) of section 1 of this act, the FTE reflected in these line items are shown for informational purposes and are not intended to be a limitation on the budgetary flexibility allowed by section 23-1-104 (1) (a) (I), C.R.S.						
55	Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges -- The tuition increases from which the General Assembly derived the total cash spending authority for each governing board are based on the requested amounts submitted by the institutions as approved by the Colorado Commission on Higher Education, except that tuition spending authority for the University of Colorado includes an additional \$1,603,118 for investment in merit based aid.						

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 06-1370

BY REPRESENTATIVE(S) Plant, Buescher, Hall, Benefield, Borodkin, Cerbo, Curry, Gallegos, Green, Hodge, Paccione, Riesberg, Solano, and Todd;
also SENATOR(S) Tapia, Keller, Owen, and Entz.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF
HIGHER EDUCATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part VI (4) (B), (5), (6), and the affected totals of section 2 of chapter 354, Session Laws of Colorado 2005, as amended by House Bill 06-1218 enacted at the Second Regular Session of the Sixty-fifth General Assembly, are amended to read:

Section 2. **Appropriation.**

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$		\$

PART VI
DEPARTMENT OF HIGHER EDUCATION

(4) COLLEGE OPPORTUNITY FUND PROGRAM

(B) Fee-for-service Contracts
with State Institutions

208,281,542
238,581,542

498,818,342
529,118,342

(5) GOVERNING BOARDS

(A) Trustees of Adams State
College^{54, 55}

17,557,980
18,520,946

17,557,980^a
18,520,946^a
(286.9 FTE)

^a Of this amount, \$11,116,631(T) \$12,079,597(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$6,370,949 shall be from the students' share of tuition, and \$70,400 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,508,800 shall be from student stipend payments and \$7,607,831 \$8,570,797 shall be from fee-for-service contracts.

(B) Trustees of Mesa State
College^{54, 55}

35,331,279
37,668,968

35,331,279^a
37,668,968^a
(405.5 FTE)

^a Of this amount, \$17,310,295(T) \$19,647,984(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$17,870,984 shall be from the students' share of tuition, and \$150,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$10,173,600 shall be from student stipend payments and \$7,136,695 \$9,474,384 shall be from fee-for-service contracts.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
81,230,387					81,230,387 ^a	
84,136,223					84,136,223 ^a	
					(964.9 FTE)	

(C) Trustees of Metropolitan
State College of Denver^{54, 55}

^a Of this amount, ~~\$36,184,800(T)~~ \$39,090,636(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$44,499,587 shall be from the students' share of tuition, and \$546,000 shall be from academic fees and academic facility fees. ~~The~~ Of the amount from the College Opportunity Fund Program, \$36,184,800 shall be from student stipend ~~payments~~ PAYMENTS AND \$2,905,836 SHALL BE FROM FEE-FOR-SERVICE CONTRACTS.

(D) Trustees of Western State
College^{54, 55}

17,317,010^a
18,863,451

17,317,010^a
18,863,451^a
(200.8 FTE)

^a Of this amount, ~~\$8,261,718(T)~~ \$9,808,159(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$8,850,292 shall be from the students' share of tuition, and \$205,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,722,400 shall be from student stipend payments and ~~\$4,539,318~~ \$6,085,759 shall be from fee-for-service contracts.

(E) Board of Governors of
the Colorado State University
System^{54, 55}

273,704,789
277,177,199

273,704,789^a
277,177,199^a
(3,417.9 FTE)

^a Of this amount, ~~\$109,183,992(T)~~ \$112,656,402(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$158,169,007 shall be from the students' share of tuition, \$6,181,790 shall be from academic fees and academic facility fees, and \$170,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$47,056,800 shall be from student stipend payments and ~~\$62,127,192~~ \$65,599,602 shall be from fee-for-service contracts.

(F) Trustees of Fort Lewis
College^{54, 55}

31,569,036

31,569,036^a

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
32,744,209					32,744,209 ^a (413.3 FTE)	

^a Of this amount, ~~\$7,435,161(T)~~ \$8,610,334(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$22,937,875 shall be from the students' share of tuition, \$1,150,000 shall be from academic fees and academic facility fees, and \$46,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$6,216,000 shall be from student stipend payments and ~~\$1,219,161~~ \$2,394,334 shall be from fee-for-service contracts.

**(G) Regents of the University
of Colorado^{54, 55}**

605,747,633	605,747,633^a
612,292,724	612,292,724 ^a (5,971.2 FTE)

^a Of this amount, ~~\$150,672,844(T)~~ \$157,217,932(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$437,717,261 shall be from the students' share of tuition, \$16,700,000 shall be from academic fees and academic facility fees, and \$657,531(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$64,624,800 shall be from student stipend payments and ~~\$86,048,041~~ \$92,593,132 shall be from fee-for-service contracts.

**(H) Trustees of the Colorado
School of Mines^{54, 55}**

55,152,413	55,152,413^a
56,467,553	56,467,553 ^a (465.9 FTE)

^a Of this amount, ~~\$17,187,980(T)~~ \$18,503,120(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$37,825,433 shall be from the students' share of tuition, and \$139,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$5,949,600 shall be from student stipend payments and ~~\$11,238,380~~ \$12,553,520 shall be from fee-for-service contracts.

**(I) University of Northern
Colorado^{54, 55}**

82,573,694	82,573,694^a
83,576,787	83,576,787 ^a

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT
\$	\$	\$	\$	\$	\$

^a Of these amounts, ~~\$540,800,203~~ \$571,100,203 contains a (T) notation.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 7. Part VI (3) (A), (4), (5), (9), and the affected totals of section 2 of chapter 354, Session Laws of Colorado 2005, as amended by House Bill 06-1218, enacted at the Second Regular Session of the Sixty-fifth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART VI
DEPARTMENT OF HIGHER EDUCATION**

(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID

(A) Need Based Grants

General Need Based Grants	42,627,088	
	44,285,488	
Governor's Opportunity Scholarships	<u>8,000,000</u>	
	50,627,088	50,627,088
	52,285,488	52,285,488
	78,435,584	
	80,093,984	

(4) COLLEGE OPPORTUNITY FUND PROGRAM

(A) Stipends

Stipends for an estimated	
120,252 113,269 eligible	
full-time equivalent students	
attending state institutions at	
\$2,400.00 per 30 credit hours	288,604,800
	271,845,600

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Stipends for an estimated 1,610 600 eligible full-time equivalent students attending participating private institutions at \$1,200.00 per 30 credit hours	1,932,000 720,000						
	<u>290,536,800</u>		290,536,800				
	272,565,600		19,165,600	253,400,000			
(B) Fee-for-service Contracts with State Institutions	208,281,542		208,281,542				
	232,035,942		232,035,942				
		498,818,342 504,601,542					
(5) GOVERNING BOARDS							
(A) Trustees of Adams State College^{54, 55}	17,557,980 17,466,128					17,557,980 ^a 17,466,128 ^a (286.9 FTE)	
^a Of this amount, \$11,116,631(T) \$11,186,356(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$6,370,949 \$6,209,372 shall be from the students' share of tuition, and \$70,400 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,508,800 \$3,381,600 shall be from student stipend payments and \$7,607,831 \$7,804,756 shall be from fee-for-service contracts.							
(B) Trustees of Mesa State College^{54, 55}	35,331,279 36,518,155					35,331,279 ^a 36,518,155 ^a	

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

(405.5 FTE)

^a Of this amount, ~~\$17,310,295(T)~~ \$17,550,703(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, ~~\$17,870,984~~ \$18,817,452 shall be from the students' share of tuition, and \$150,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, ~~\$10,173,600~~ \$9,770,400 shall be from student stipend payments and ~~\$7,136,695~~ \$7,780,303 shall be from fee-for-service contracts.

**(C) Trustees of Metropolitan
State College of Denver^{54, 55}**

81,230,387
80,390,357

81,230,387*
80,390,357^a
(964.9 FTE)

^a Of this amount, ~~\$36,184,800(T)~~ \$36,872,732(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, ~~\$44,499,587~~ \$42,971,625 shall be from the students' share of tuition, and \$546,000 shall be from academic fees and academic facility fees. ~~THE~~ OF THE amount from the College Opportunity Fund ~~Program~~ PROGRAM, \$33,883,200 shall be from student stipend ~~payments~~ PAYMENTS AND \$2,989,532 SHALL BE FROM FEE-FOR-SERVICE CONTRACTS.

**(D) Trustees of Western State
College^{54, 55}**

17,317,010
17,491,424

17,317,010*
17,491,424^a
(200.8 FTE)

^a Of this amount, ~~\$8,261,718(T)~~ \$8,345,706(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, ~~\$8,850,292~~ \$8,940,718 shall be from the students' share of tuition, and \$205,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, ~~\$3,722,400~~ \$3,592,800 shall be from student stipend payments and ~~\$4,539,318~~ \$4,752,906 shall be from fee-for-service contracts.

**(E) Board of Governors of
the Colorado State University
System^{54, 55}**

273,704,789
271,926,611

273,704,789*
271,926,611^a
(3,417.9 FTE)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<p>^a Of this amount, \$109,183,992(T) \$110,147,618(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$158,169,007 \$155,427,203 shall be from the students' share of tuition, \$6,181,790 shall be from academic fees and academic facility fees, and \$170,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$47,056,800 \$45,405,600 shall be from student stipend payments and \$62,127,192 \$64,742,018 shall be from fee-for-service contracts.</p>							
(F) Trustees of Fort Lewis College^{54, 55}							
	31,569,036					31,569,036*	
	30,940,743					30,940,743 ^a	
						(413.3 FTE)	
<p>^a Of this amount, \$7,435,161(T) \$7,582,649(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$22,937,875 \$22,162,094 shall be from the students' share of tuition, \$1,150,000 shall be from academic fees and academic facility fees, and \$46,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$6,216,000 \$5,971,200 shall be from student stipend payments and \$1,219,161 \$1,611,449 shall be from fee-for-service contracts.</p>							
(G) Regents of the University of Colorado^{54, 55}							
	605,747,633					605,747,633*	
	607,709,171					607,709,171 ^a	
						(5,971.2 FTE)	
<p>^a Of this amount, \$150,672,841(T) \$152,558,891(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$437,717,261 \$437,792,749 shall be from the students' share of tuition, \$16,700,000 shall be from academic fees and academic facility fees, and \$657,531(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. Of the amount from the College Opportunity Fund Program, \$64,624,800 \$63,396,000 shall be from student stipend payments and \$86,048,041 \$89,162,891 shall be from fee-for-service contracts.</p>							
(H) Trustees of the Colorado School of Mines^{54, 55}							
	55,152,413					55,152,413*	
	55,275,033					55,275,033 ^a	
						(465.9 FTE)	

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a Of this amount, ~~\$17,187,980(T)~~ \$17,478,485(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, ~~\$37,825,433~~ \$37,657,548 shall be from the students' share of tuition, and \$139,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, ~~\$5,949,600~~ \$6,103,200 shall be from student stipend payments and ~~\$11,2338,380~~ \$11,375,285 shall be from fee-for-service contracts.

**(I) University of Northern
Colorado^{54, 55}**

82,573,694	82,573,694*
83,024,951	83,024,951 ^a
	(1,000.0 FTE)

^a Of this amount, ~~\$33,590,909(T)~~ \$34,173,785(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, ~~\$48,270,785~~ \$48,139,166 shall be from the students' share of tuition, and \$712,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, ~~\$21,871,200~~ \$21,160,800 shall be from student stipend payments and ~~\$11,719,709~~ \$13,012,985 shall be from fee-for-service contracts.

**(J) State Board for
Community Colleges and
Occupational Education State
System Community
Colleges^{54, 55}**

237,303,250	237,303,250*
224,053,397	224,053,397 ^a
	(4,627.7 FTE)

^a Of this amount, ~~\$105,942,015(T)~~ \$107,984,617(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, ~~\$124,457,529~~ \$109,165,074 shall be from the students' share of tuition, and \$6,903,706 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, ~~\$89,296,800~~ \$79,180,800 shall be from student stipend payments and ~~\$16,645,215~~ \$28,803,817 shall be from fee-for-service contracts.

~~1,437,487,471~~
1,424,795,970

(9) AURARIA HIGHER EDUCATION CENTER⁵⁴

Administration	14,322,136	14,322,136(T) ^a
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		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Auxiliary Revenue	(128.3 FTE) 50,000 <u>2,650,000</u>	14,372,136 16,972,136			50,000^b 2,650,000 ^b		

^a This amount shall be from the appropriations for the State Board of Community Colleges and Occupational Education, the Trustees of Metropolitan State College, and the Regents of the University of Colorado.

^b This amount shall be from auxiliary revenue. OF THIS AMOUNT, \$2,600,000(T) IS RELATED TO INTERNAL SERVICE CHARGES.

TOTALS PART VI

(HIGHER EDUCATION)^{4, 5}	\$2,128,900,498	\$598,252,561		\$20,657,260 ^a	\$1,489,628,494 ^a	\$20,362,183
	<u>\$2,126,250,597</u>	<u>\$352,294,161</u>	<u>\$253,400,000</u>	<u>\$23,257,260^a</u>	<u>\$1,476,936,993^a</u>	

^a Of these amounts, ~~\$540,800,203~~ \$550,395,403 contains a (T) notation.

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 10-1369

BY REPRESENTATIVE(S) Scanlan and Pommer, Kagan, Labuda;
also SENATOR(S) Bacon.

CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND MAKING AN
APPROPRIATION THEREFOR.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 22-54-104 (5) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

22-54-104. District total program. (5) For purposes of the formulas used in this section:

(a) (XVII) FOR THE 2010-11 BUDGET YEAR, THE STATEWIDE BASE PER PUPIL FUNDING SHALL BE \$5,529.71, WHICH IS AN AMOUNT EQUAL TO \$5,507.68 SUPPLEMENTED BY \$22.03, TO ACCOUNT FOR INFLATION PLUS AN ADDITIONAL ONE PERCENTAGE POINT.

SECTION 2. The introductory portion to 22-54-104 (2) (a) (IX), Colorado Revised Statutes, is amended to read:

22-54-104. District total program. (2) (a) (IX) Except as

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

otherwise provided in this subsection (2), PARAGRAPH (g) OF SUBSECTION (5) OR subsection (6) of this section, or section 22-54-104.3, a district's total program for the 2009-10 budget year and budget years thereafter shall be the greater of the following:

SECTION 3. 22-54-104 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-54-104. District total program. (5) For purposes of the formulas used in this section:

(g) (I) FOR THE 2010-11 AND 2011-12 BUDGET YEARS, THE GENERAL ASSEMBLY DETERMINES THAT STABILIZATION OF THE STATE BUDGET REQUIRES A REDUCTION IN THE AMOUNT OF THE ANNUAL APPROPRIATION TO FUND THE STATE'S SHARE OF TOTAL PROGRAM FUNDING FOR ALL DISTRICTS AND THE FUNDING FOR INSTITUTE CHARTER SCHOOLS. THEREFORE, FOR THE 2010-11 AND 2011-12 BUDGET YEARS, THE DEPARTMENT OF EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL DETERMINE, BASED ON BUDGET PROJECTIONS, THE AMOUNT OF SUCH REDUCTION TO ENSURE THAT THE SUM OF THE TOTAL PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING THE FUNDING FOR INSTITUTE CHARTER SCHOOLS, FOR THE 2010-11 AND 2011-12 BUDGET YEARS IS NOT LESS THAN FIVE BILLION FOUR HUNDRED THIRTY-EIGHT MILLION TWO HUNDRED NINETY-FIVE THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS, WHICH IS TWO HUNDRED SIXTY MILLION DOLLARS LESS THAN THE SUM OF THE INITIAL TOTAL PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING THE FUNDING FOR INSTITUTE CHARTER SCHOOLS, FOR THE 2009-10 BUDGET YEAR; EXCEPT THAT THE DEPARTMENT OF EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES INCLUDING, BUT NOT LIMITED TO, ACTUAL PUPIL ENROLLMENT, ASSESSED VALUATIONS, AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR YEAR, TO DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT OF THE REDUCTION TO ENSURE THAT THE TOTAL PROGRAM FUNDING FOR EACH OF THE 2010-11 AND 2011-12 BUDGET YEARS DOES NOT EXCEED TWO HUNDRED SIXTY MILLION DOLLARS LESS THAN THE SUM OF THE INITIAL TOTAL PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING FUNDING FOR INSTITUTE CHARTER SCHOOLS, FOR THE 2009-10 BUDGET YEAR. THE DEPARTMENT OF EDUCATION SHALL IMPLEMENT THE REDUCTION IN TOTAL PROGRAM FUNDING THROUGH THE APPLICATION OF A STATE BUDGET STABILIZATION FACTOR AS PROVIDED IN THIS PARAGRAPH (g).

(II) FOR THE 2010-11 AND 2011-12 BUDGET YEARS, THE DEPARTMENT OF EDUCATION SHALL:

(A) CALCULATE THE STATE BUDGET STABILIZATION FACTOR FOR THE 2010-11 AND 2011-12 BUDGET YEARS BY DIVIDING THE REDUCTION IN TOTAL PROGRAM FUNDING FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE, AS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), BY THE SUM OF THE TOTAL PROGRAM FUNDING AMOUNTS OF ALL DISTRICTS, INCLUDING THE FUNDING FOR INSTITUTE CHARTER SCHOOLS, FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE; AND

(B) CALCULATE EACH DISTRICT'S AND EACH INSTITUTE CHARTER SCHOOL'S STATE BUDGET STABILIZATION REDUCTION AMOUNT BY MULTIPLYING THE STATE BUDGET STABILIZATION FACTOR BY THE DISTRICT'S TOTAL PROGRAM FUNDING CALCULATED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE, FOR THE DISTRICT AND FOR ANY INSTITUTE CHARTER SCHOOL LOCATED WITHIN THE DISTRICT.

(III) FOR THE 2010-11 AND 2011-12 BUDGET YEARS, EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPHS (IV) AND (V) OF THIS PARAGRAPH (g), A DISTRICT'S TOTAL PROGRAM SHALL BE THE GREATER OF:

(A) THE AMOUNT CALCULATED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE, INCLUDING FUNDING FOR ANY INSTITUTE CHARTER SCHOOL LOCATED WITHIN THE DISTRICT, MINUS THE DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE; OR

(B) AN AMOUNT EQUAL TO THE BASE PER PUPIL FUNDING AMOUNT SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE, MULTIPLIED BY THE DISTRICT'S FUNDED PUPIL COUNT FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE.

(IV) FOR THE 2010-11 AND 2011-12 BUDGET YEARS, THE TOTAL PROGRAM FUNDING FOR A DISTRICT THAT LEVIES THE NUMBER OF MILLS CALCULATED PURSUANT TO SECTION 22-54-106 (2) (a) (II) SHALL BE THE AMOUNT CALCULATED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR

THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE. ANY SUCH DISTRICT SHALL USE THE REVENUES GENERATED BY THE NUMBER OF MILLS THAT THE DISTRICT LEVIES PURSUANT TO SECTION 22-54-106 (2) (a) (II) TO REPLACE ANY CATEGORICAL PROGRAM SUPPORT FUNDS THAT THE DISTRICT WOULD OTHERWISE BE ELIGIBLE TO RECEIVE FROM THE STATE; EXCEPT THAT THE AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS THAT THE DISTRICT IS REQUIRED TO REPLACE SHALL NOT EXCEED AN AMOUNT EQUAL TO THE DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT. THE DEPARTMENT SHALL USE THE AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS REPLACED BY PROPERTY TAX REVENUE PURSUANT TO THIS SUBPARAGRAPH (IV) TO MAKE PAYMENTS OF CATEGORICAL PROGRAM SUPPORT FUNDS TO ELIGIBLE DISTRICTS AS SPECIFIED IN SECTION 22-54-107 (4).

(V) FOR THE 2010-11 AND 2011-12 BUDGET YEARS, IF A DISTRICT LEVIES THE NUMBER OF MILLS CALCULATED PURSUANT TO SECTION 22-54-106 (2) (a) (I) AND THE DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT EXCEEDS THE DISTRICT'S STATE SHARE OF TOTAL PROGRAM FUNDING, SUCH DISTRICT'S TOTAL PROGRAM FUNDING SHALL BE THE AMOUNT CALCULATED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR THE 2010-11 OR 2011-12 BUDGET YEAR, AS APPLICABLE, MINUS THE DISTRICT'S STATE AID. ANY SUCH DISTRICT SHALL USE THE REVENUES GENERATED BY THE NUMBER OF MILLS THAT THE DISTRICT LEVIES PURSUANT TO SECTION 22-54-106 (2) (a) (I) TO REPLACE ANY CATEGORICAL PROGRAM SUPPORT FUNDS THAT THE DISTRICT WOULD OTHERWISE BE ELIGIBLE TO RECEIVE FROM THE STATE; EXCEPT THAT THE AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS THAT THE DISTRICT IS REQUIRED TO REPLACE SHALL NOT EXCEED AN AMOUNT EQUAL TO THE REMAINDER OF THE DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT AFTER THE REDUCTION TO THE DISTRICT'S TOTAL PROGRAM HAS BEEN APPLIED PURSUANT TO THIS SUBPARAGRAPH (V). THE DEPARTMENT SHALL USE THE AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS REPLACED BY PROPERTY TAX REVENUE PURSUANT TO THIS SUBPARAGRAPH (V) TO MAKE PAYMENTS OF CATEGORICAL PROGRAM SUPPORT FUNDS TO ELIGIBLE DISTRICTS AS SPECIFIED IN SECTION 22-54-107 (4).

SECTION 4. 22-54-104 (4.5) (c) and (4.7), Colorado Revised Statutes, are amended to read:

22-54-104. District total program. (4.5) A district's on-line

funding shall be determined in accordance with the following formulas:

(c) (I) For the 2007-08 budget year and budget years thereafter, a district's on-line funding shall be:

(District on-line pupil enrollment x \$6,135)

(II) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (III) OF THIS PARAGRAPH (c), for the 2008-09 budget year and budget years thereafter, the dollar amount set forth in subparagraph (I) of this paragraph (c) shall be increased by the percentage by which the statewide base per pupil funding for that budget year, as specified in paragraph (a) of subsection (5) of this section, is increased over the statewide base per pupil funding for the 2007-08 budget year, as specified in subparagraph (XIV) of paragraph (a) of subsection (5) of this section. Such amount shall be rounded to the nearest dollar.

(III) IN ANY BUDGET YEAR IN WHICH THE PROVISIONS OF PARAGRAPH (g) OF SUBSECTION (5) OF THIS SECTION APPLY, THE DEPARTMENT OF EDUCATION SHALL CALCULATE A DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT FOR ON-LINE FUNDING BY MULTIPLYING THE STATE BUDGET STABILIZATION FACTOR CALCULATED FOR THE APPLICABLE BUDGET YEAR PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (g) OF SUBSECTION (5) OF THIS SECTION BY THE DISTRICT'S ON-LINE FUNDING CALCULATED PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (c) FOR THE APPLICABLE BUDGET YEAR. A DISTRICT'S ON-LINE FUNDING FOR THE APPLICABLE BUDGET YEAR SHALL BE THE GREATER OF:

(A) THE DISTRICT'S ON-LINE FUNDING AMOUNT CALCULATED FOR THE APPLICABLE BUDGET YEAR PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (c) MINUS THE DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT CALCULATED FOR THE APPLICABLE BUDGET YEAR PURSUANT TO THIS SUBPARAGRAPH (III) FOR ON-LINE FUNDING; OR

(B) AN AMOUNT EQUAL TO THE BASE PER PUPIL FUNDING AMOUNT SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY THE DISTRICT'S ON-LINE PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR.

(4.7) (a) For the 2009-10 budget year and budget years thereafter,

a district's ASCENT program funding shall be determined in accordance with the following formula:

(District ASCENT program pupil enrollment x \$6,135, or an amount determined pursuant to paragraph (b) of this subsection (4.7))

(b) SUBJECT TO THE PROVISIONS OF PARAGRAPH (c) OF THIS SUBSECTION (4.7), for the 2010-11 budget year and budget years thereafter, the dollar amount set forth in paragraph (a) of this subsection (4.7) shall be increased by the percentage by which the statewide base per pupil funding for that budget year, as specified in paragraph (a) of subsection (5) of this section, is increased over the statewide base per pupil funding for the 2007-08 budget year, as specified in subparagraph (XIV) of paragraph (a) of subsection (5) of this section. The amount shall be rounded to the nearest dollar.

(c) IN ANY BUDGET YEAR IN WHICH THE PROVISIONS OF PARAGRAPH (g) OF SUBSECTION (5) OF THIS SECTION APPLY, THE DEPARTMENT OF EDUCATION SHALL CALCULATE A DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT FOR ASCENT PROGRAM FUNDING BY MULTIPLYING THE STATE BUDGET STABILIZATION FACTOR CALCULATED FOR THE APPLICABLE BUDGET YEAR PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (g) OF SUBSECTION (5) OF THIS SECTION BY THE AMOUNT OF THE DISTRICT'S ASCENT PROGRAM FUNDING CALCULATED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4.7) FOR THE APPLICABLE BUDGET YEAR. A DISTRICT'S ASCENT PROGRAM FUNDING FOR THE APPLICABLE BUDGET YEAR SHALL BE THE GREATER OF:

(I) THE DISTRICT'S ASCENT PROGRAM FUNDING CALCULATED FOR THE APPLICABLE BUDGET YEAR PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4.7) MINUS THE DISTRICT'S STATE BUDGET STABILIZATION REDUCTION AMOUNT CALCULATED FOR THE APPLICABLE BUDGET YEAR PURSUANT TO THIS PARAGRAPH (c) FOR ASCENT PROGRAM FUNDING; OR

(II) AN AMOUNT EQUAL TO THE BASE PER PUPIL FUNDING AMOUNT SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY THE DISTRICT'S ASCENT PROGRAM PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR.

SECTION 5. 22-54-106 (2) (a) (II), Colorado Revised Statutes, is

amended to read:

22-54-106. Local and state shares of district total program.

(2) (a) Except as provided in paragraph (c) of this subsection (2), for reorganized districts, for the 2007 property tax year and property tax years thereafter, each district shall levy the lesser of:

(II) (A) SUBJECT TO THE PROVISIONS OF SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (II), the number of mills that will generate property tax revenue in an amount equal to the district's total program for the applicable budget year minus the district's minimum state aid, IF APPLICABLE FOR THAT BUDGET YEAR, and minus the amount of specific ownership tax revenue paid to the district.

(B) REGARDLESS OF THE APPLICABILITY OF SECTION 22-54-104 (5) (g), FOR THE PURPOSES OF THIS SUBPARAGRAPH (II), A DISTRICT'S TOTAL PROGRAM SHALL BE THE AMOUNT CALCULATED PURSUANT TO SECTION 22-54-104 (2).

SECTION 6. 22-54-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

22-54-107. Buy-out of categorical programs. (4) IN A BUDGET YEAR IN WHICH THE PROVISIONS OF SECTION 22-54-104 (5) (g) APPLY, THE DEPARTMENT SHALL USE THE AMOUNT OF CATEGORICAL PROGRAM SUPPORT FUNDS REPLACED BY PROPERTY TAX REVENUE PURSUANT TO THE PROVISIONS OF SECTION 22-54-104 (5) (g) (IV) AND (5) (g) (V) TO MAKE PAYMENTS OF CATEGORICAL PROGRAM SUPPORT FUNDS TO ELIGIBLE DISTRICTS AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

SECTION 7. 22-54-108 (3) (b) (II) and (3) (b) (III), Colorado Revised Statutes, are amended to read:

22-54-108. Authorization of additional local revenues.

(3) (b) (II) (A) Effective July 1, 2002, AND SUBJECT TO THE PROVISIONS OF SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (II), the total additional local property tax revenues that may be received pursuant to elections held pursuant to this section shall not exceed under any circumstances twenty percent of the district's total program, as determined pursuant to section 22-54-104 (2), or two hundred thousand dollars, whichever is greater, plus

an amount equal to the maximum dollar amount of property tax revenue that the district could have generated for the 2001-02 budget year if, in accordance with the provisions of section 22-54-107.5, the district submitted a question to and received approval of the eligible electors of the district at an election held in November 2001.

(B) REGARDLESS OF THE APPLICABILITY OF SECTION 22-54-104 (5) (g), FOR THE PURPOSES OF THIS SUBPARAGRAPH (II), A DISTRICT'S TOTAL PROGRAM SHALL BE THE AMOUNT CALCULATED PURSUANT TO SECTION 22-54-104 (2).

(III) (A) On and after May 21, 2009, AND SUBJECT TO THE PROVISIONS OF SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (III), for any district that meets the requirements of subsection (4) of this section, the total additional local property tax revenues that may be received pursuant to an election held pursuant to this section shall not exceed under any circumstances twenty-five percent of the district's total program, as determined pursuant to section 22-54-104 (2), or two hundred thousand dollars, whichever is greater, plus an amount equal to the maximum dollar amount of property tax revenue that the district could have generated for the 2001-02 budget year if, in accordance with the provisions of section 22-54-107.5, the district submitted a question to and received approval of the eligible electors of the district at an election held in November 2001.

(B) REGARDLESS OF THE APPLICABILITY OF SECTION 22-54-104 (5) (g), FOR PURPOSES OF THIS SUBPARAGRAPH (III), A DISTRICT'S TOTAL PROGRAM SHALL BE THE AMOUNT CALCULATED PURSUANT TO SECTION 22-54-104 (2).

SECTION 8. 22-54-103 (7) (e), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

22-54-103. Definitions - repeal. As used in this article, unless the context otherwise requires:

(7) "Funded pupil count" means:

(e) (V) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, FOR THE 2010-11 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, FOR THE PURPOSES OF THIS PARAGRAPH (e), A DISTRICT'S PUPIL

ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND A DISTRICT'S PUPIL ENROLLMENT FOR ANY PRECEDING BUDGET YEAR SHALL NOT INCLUDE ANY PUPIL WHO IS OR WAS ENROLLED IN A CHARTER SCHOOL THAT WAS ORIGINALLY AUTHORIZED BY THE DISTRICT BUT WAS SUBSEQUENTLY CONVERTED, ON OR AFTER JULY 1, 2010, TO AN INSTITUTE CHARTER SCHOOL OR TO A CHARTER SCHOOL OF A DISTRICT CONTIGUOUS TO THE ORIGINALLY AUTHORIZING DISTRICT.

SECTION 9. 22-41-102 (3) (a), Colorado Revised Statutes, is amended to read:

22-41-102. Fund inviolate. (3) (a) Except as provided in paragraph (b) of this subsection (3), FOR THE 2010-11 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER, THE FIRST ELEVEN MILLION DOLLARS OF any interest or income earned on the investment of the moneys in the public school fund ~~other than interest and income credited to the public school capital construction assistance fund created in section 22-43.7-104 (1) pursuant to section 22-43.7-104 (2) (b) (I)~~ shall BE CREDITED TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 FOR DISTRIBUTION AS PROVIDED BY LAW. ANY AMOUNT OF SUCH INTEREST AND INCOME EARNED ON THE INVESTMENT OF THE MONEYS IN THE STATE PUBLIC SCHOOL FUND IN EXCESS OF ELEVEN MILLION DOLLARS, OTHER THAN INTEREST AND INCOME CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND CREATED IN SECTION 22-43.7-104 (1) PURSUANT TO SECTION 22-43.7-104 (2) (b) (I), SHALL remain in the fund and shall become part of the principal of the fund.

SECTION 10. 36-1-116 (1) (a) (II) (A), Colorado Revised Statutes, is amended to read:

36-1-116. Disposition of rentals, royalties, and timber sale proceeds. (1) (a) (II) (A) Except as provided in sub-subparagraph (B) of this subparagraph (II), for the ~~2008-09~~ 2010-11 state fiscal year and each state fiscal year thereafter, the ~~first eleven million dollars of~~ proceeds received by the state for the sale of timber on public school lands, rental payments for the use and occupation of the surface of said lands, and rentals or lease payments for sand, gravel, clay, stone, coal, oil, gas, geothermal resources, gold, silver, or other minerals on said lands other than proceeds, rentals, and payments allocated to the state land board trust administration fund pursuant to section 36-1-145 (3) or credited to the public school capital

construction assistance fund created in section 22-43.7-104 (1), C.R.S., pursuant to section 22-43.7-104 (2) (b) (I), C.R.S., shall be credited ~~to the public school income fund for distribution as provided by law. Any amount of such proceeds, rentals, and payments received by the state during the fiscal year in excess of eleven million dollars shall be credited~~ to the permanent school fund and shall become part of the principal of the permanent school fund.

SECTION 11. Appropriation - adjustments to the 2010 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education for the fiscal year beginning July 1, 2010, shall be adjusted as follows:

(a) The cash funds appropriation for management and administration, reprinting and distributing laws concerning education, is decreased by thirty-five thousand four hundred eighty dollars (\$35,480). Said sum shall be from rental income earned on public school lands that is credited to the state public school fund pursuant to section 36-1-116 (1) (a), Colorado Revised Statutes.

(b) The cash funds appropriation for management and administration, reprinting and distributing laws concerning education, is increased by thirty-five thousand four hundred eighty dollars (\$35,480). Said sum shall be from interest or income earned on the investment of the moneys in the public school fund that is credited to the state public school fund pursuant to section 22-41-102 (3) (a), Colorado Revised Statutes.

(c) The general fund appropriation for public school finance, state share of districts' total program funding, is decreased by three hundred sixty-three million four hundred seventy-six thousand four hundred fifty-four dollars (\$363,476,454).

(d) The cash funds appropriation for public school finance, state share of districts' total program funding, is decreased by eight million four hundred ninety-one thousand eight hundred seventy-six dollars (\$8,491,876). Said sum shall be from rental income earned on public school lands that is credited to the state public school fund pursuant to section 36-1-116 (1) (a), Colorado Revised Statutes.

(e) The cash funds appropriation for public school finance, state

share of districts' total program funding, is increased by eight million four hundred ninety-one thousand eight hundred seventy-six dollars (\$8,491,876). Said sum shall be from interest or income earned on the investment of the moneys in the public school fund that is credited to the state public school fund pursuant to section 22-41-102 (3) (a), Colorado Revised Statutes.

(f) The cash funds appropriation for public school finance, hold-harmless full-day kindergarten funding, is decreased by four hundred eighty-seven thousand nine hundred sixty-four dollars (\$487,964). Said sum shall be from the state education fund created in section 17 (4) (a) of article IX of the state constitution.

(g) The cash funds appropriation for grant programs, distributions, and other assistance, state match for school lunch program, is decreased by two million four hundred seventy-two thousand six hundred forty-four dollars (\$2,472,644). Said sum shall be from rental income earned on public school lands that is credited to the state public school fund pursuant to section 36-1-116 (1) (a), Colorado Revised Statutes.

(h) The cash funds appropriation for grant programs, distributions, and other assistance, state match for school lunch program, is increased by two million four hundred seventy-two thousand six hundred forty-four dollars (\$2,472,644). Said sum shall be from interest or income earned on the investment of the moneys in the public school fund that is credited to the state public school fund pursuant to section 22-41-102 (3) (a), Colorado Revised Statutes.

(i) The cash funds appropriation for grant programs, distributions, and other assistance, facility school funding, is decreased by one million one hundred twenty thousand nine hundred twenty-three dollars (\$1,120,923). Said sum shall be from the state education fund created in section 17 (4) (a) of article IX of the state constitution.

(j) The general fund appropriation for the Colorado school for the deaf and the blind, school operations, is increased by eighty-five thousand three hundred thirty-four dollars (\$85,334).

(k) The appropriation for the Colorado school for the deaf and the blind, school operations, is decreased by eighty-five thousand three hundred

thirty-four dollars (\$85,334). Said sum shall be from reappropriated funds transferred from the annual appropriation for facility school funding.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 2010, shall be adjusted as follows:

(a) The general fund appropriation for mental health and alcohol and drug abuse services, mental health institutes, educational programs, is increased by thirteen thousand four hundred thirty-nine dollars (\$13,439).

(b) The appropriation for mental health and alcohol and drug abuse services, mental health institutes, educational programs, is decreased by thirteen thousand four hundred thirty-nine dollars (\$13,439). Said sum shall be from reappropriated funds transferred from the annual appropriation to the department of education for facility school funding.

SECTION 12. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART VI
DEPARTMENT OF HIGHER EDUCATION**

(1) DEPARTMENT ADMINISTRATIVE OFFICE

Health, Life, and Dental	939,048			643,370 ^a	201,113 ^b	94,565
Short-term Disability	12,428			8,611 ^a	2,471 ^b	1,346
S.B. 04-257 Amortization						
Equalization Disbursement	192,422			133,322 ^a	38,255 ^b	20,845
S.B. 06-235 Supplemental						
Amortization Equalization						
Disbursement	140,309			97,215 ^a	27,894 ^b	15,200
Workers' Compensation	32,146			26,985 ^a	5,161 ^b	
Legal Services for 448 hours	32,870			9,071 ^a	23,799 ^b	
Purchase of Services from						
Computer Center	244,484			232,991 ^a	11,493 ^b	
Multiuse Network Payments	59,378			59,378 ^a		
Management and						
Administration of OIT	100,074			100,074 ^a		
Payment to Risk						
Management and Property						
Funds	11,248			10,795 ^a	453 ^b	
Leased Space	<u>514,210</u>			102,842 ^a	411,368 ^b	
		2,278,617				

^a Of these amounts, \$1,306,159 shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S., and \$118,495 shall be from various sources of cash funds.

^b These amounts shall be from departmental indirect cost recoveries.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(2) COLORADO COMMISSION ON HIGHER EDUCATION							
(A) Administration							
Administration	2,789,293				207,245 ^a	2,205,990 ^b (27.5 FTE)	376,058 (3.6 FTE)
^a Of this amount, \$175,745 shall be from statewide indirect cost recoveries from CollegeInvest and College Assist and \$31,500 shall be from private college and university fees paid pursuant to Section 23-2-104.5, C.R.S.							
^b Of this amount, \$2,100,810 shall be from statewide indirect cost recoveries and \$105,180 shall be from the Department of Education for assistance in aligning public education with postsecondary and workforce readiness standards.							
(B) Division of Private Occupational Schools							
	631,465				631,465 ^a (7.8 FTE)		
^a This amount shall be from the Private Occupational Schools Fund created in Section 12-59-116, C.R.S.							
(C) Special Purpose							
Western Interstate Commission for Higher Education (WICHE)	125,000					125,000 ^a	
WICHE - Optometry	399,000					399,000 ^a	
Distribution to Higher Education Competitive Research Authority	1,330,000				1,330,000 ^b		
Veterinary School Program Needs	285,000				122,600 ^c	162,400 ^a	
Enrollment/Tuition and Stipend Contingency ¹²	20,000,000				20,000,000 ^d		
	22,139,000						

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	25,559,758					

^a These amounts shall be from departmental indirect cost recoveries.

^b This amount shall be from Waste Tire Recycling Development Cash Fund moneys deposited in the Innovative Higher Education Research Fund pursuant to Section 25-17-202 (3) (b) (III), C.R.S.

^c This amount shall be from the Western Interstate Commission on Higher Education.

^d This amount shall be from tuition and stipend revenue from the governing boards, in addition to what is appropriated to the governing boards. This spending authority may be transferred to the governing boards.

(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID

(A) Need Based Grants	74,144,146	74,144,146		
(B) Work Study¹³	16,612,357	16,612,357		
(C) Special Purpose				
Required Federal Match	3,026,350	1,726,350		1,300,000
Veterans'/Law Enforcement/ POW Tuition Assistance	364,922	364,922		
National Guard Tuition Assistance Fund ¹⁴	800,000	800,000		
Native American Students/Fort Lewis College	10,430,371	10,139,220	291,151 ^a	
Nursing Teacher Loan Forgiveness Pilot	161,600	161,600		
GEAR - UP	<u>600,000</u>			600,000
	15,383,243			
	106,139,746			

^a This amount shall be from departmental indirect cost recoveries.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(4) COLLEGE OPPORTUNITY FUND PROGRAM							
(A) Stipends							
Stipends for an estimated 143,804 eligible full-time equivalent students attending state institutions at \$1,860.00 per 30 credit hours	267,475,440						
Stipends for an estimated 893 eligible full-time equivalent students attending participating private institutions at \$930.00 per 30 credit hours	<u>830,490</u>						
	268,305,930		268,305,930				
(B) Fee-for-service Contracts with State Institutions							
	267,819,476		166,552,809	101,266,667 ^a			
		536,125,406					
^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.							
(5) GOVERNING BOARDS							
(A) Trustees of Adams State College^{15, 16}							
	27,992,397				14,544,452 ^a	12,149,322 ^b	1,298,623 ^c
	(274.4 FTE)						

^a Of this amount, \$12,392,300 shall be from the students' share of tuition, \$2,120,308 shall be from academic fees and academic facility fees, and \$31,844 represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b Of this amount, \$2,869,980 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$9,279,342 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

(B) Trustees of Mesa State

College^{15, 16}	58,124,548	36,037,496 ^a	19,888,392 ^b	2,198,660 ^c
(519.2 FTE)				

^a Of this amount, \$35,267,185 shall be from the students' share of tuition, \$538,354 shall be from academic fees and academic facility fees, and \$231,957 represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

^b Of this amount, \$9,962,160 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$9,926,232 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

(C) Trustees of

Metropolitan State College

of Denver^{15, 16}	125,676,612	81,608,881 ^a	39,778,568 ^b	4,289,163 ^c
(1,266.1 FTE)				

^a Of this amount, \$68,943,554 shall be from the students' share of tuition and \$12,665,327 shall be from academic fees and academic facility fees.

^b Of this amount, \$33,176,820 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$6,601,748 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

(D) Trustees of Western

State College^{15, 16}	21,120,181	9,911,300 ^a	9,892,147 ^b	1,316,734 ^c
(243.2 FTE)				

^a Of this amount \$9,800,540 shall be from the student's share of tuition and \$110,760 shall be from shall be from academic fees and academic facility fees.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b Of this amount, \$2,568,660 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$7,323,487 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

**(E) Board of Governors of
the Colorado State
University System^{15, 16}**

396,739,749	264,509,489 ^a	113,790,028 ^b	18,440,232 ^c
(4,136.9 FTE)			

^a Of this amount, \$244,926,888 shall be from the students' share of tuition and \$19,582,601 shall be from academic fees and academic facility fees.

^b Of this amount, \$38,987,460 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$74,632,568 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$170,000 shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5) (a) (I), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2010 calendar year grant, and any unexpended balance on June 30, 2010, is intended to roll forward and remain available for expenditure through June 30, 2011.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

**(F) Trustees of Fort Lewis
College^{15, 16}**

41,295,170	29,743,899 ^a	8,805,822 ^b	2,745,449 ^c
(418.2 FTE)			

^a Of this amount, \$28,747,944 shall be from the students' share of tuition and \$995,955 shall be from academic fees and academic facility fees.

^b Of this amount, \$4,238,940 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$4,518,882 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$48,000 shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5) (a) (I), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2010 calendar year grant, and any unexpended balance on June 30, 2010, is intended to roll forward and remain available for expenditure through June 30, 2011.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

**(G) Regents of the
University of Colorado^{15, 16}**

907,910,972	714,787,921 ^a	159,761,513 ^b	33,361,538 ^c
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

(6,920.9 FTE)

^a Of this amount, \$666,395,809 shall be from the students' share of tuition, \$32,387,627 shall be from academic fees and academic facility fees, and \$16,004,485 shall be from the Tobacco Litigation Settlement Moneys Health Education Fund pursuant to Section 24-75-1104.5 (1.5) (a) (I), C.R.S.

^b Of this amount, \$55,346,160 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$103,757,822 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$657,531 shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5) (a) (I), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2010 calendar year grant, and any unexpended balance on June 30, 2010, is intended to roll forward and remain available for expenditure through June 30, 2011.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

(H) Trustees of the

Colorado School of Mines^{15,}

100,773,005	79,316,760 ^a	18,793,625 ^b	2,662,620 ^c
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(684.2 FTE)

^a Of this amount, \$75,816,760 shall be from the students' share of tuition and \$3,500,000 shall be from academic fees and academic facility fees.

^b Of this amount, \$5,327,040 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$13,466,585 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

(I) University of Northern

Colorado^{15, 16}

113,564,367	72,940,277 ^a	35,176,878 ^b	5,447,212 ^c
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(986.9 FTE)

^a Of this amount, \$68,334,451 shall be from the students' share of tuition and \$4,605,826 shall be from academic fees and academic facility fees.

^b Of this amount, \$15,646,320 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$19,530,558 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(J) State Board for Community Colleges and Occupational Education State System Community Colleges^{15, 16}	363,857,995 (5,584.0 FTE)				230,392,038 ^a	119,634,152 ^b	13,831,805 ^c

^a Of this amount, \$214,432,398 shall be from the students' share of tuition, \$8,698,649 shall be from academic fees and academic facility fees, and \$7,260,991 represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

^b Of this amount, \$99,351,900 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$18,782,252 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$1,500,000 shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5) (a) (I), C.R.S., for faculty and the development of community college-level curricula on alternative, renewable, and existing energies.

^c This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

2,157,054,996

**(6) LOCAL DISTRICT
JUNIOR COLLEGE
GRANTS PURSUANT TO
SECTION 23-71-301,
C.R.S.¹⁷**

15,467,729	12,601,934	836,339 ^a	2,029,456 ^b
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^a This amount represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

^b This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.

(7) DIVISION OF OCCUPATIONAL EDUCATION

(A) Administrative Costs	900,000	900,000 ^a (9.0 FTE)
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^a Of this amount, \$525,576 shall be from statewide indirect cost recoveries and \$374,424 shall be from departmental indirect cost recoveries.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(B) Distribution of State Assistance for Career and Technical Education pursuant to Section 23-8-102. C.R.S.							
	23,296,124					23,296,124 ^a	
^a This amount shall be from moneys appropriated in the Department of Education.							
(C) Area Vocational School Support							
	8,964,761		7,392,154				1,572,607 ^a
^a This amount reflects funds anticipated to be received from the Education Stabilization Fund pursuant to the federal American Recovery and Reinvestment Act of 2009.							
(D) Sponsored Programs							
(1) Administration	2,220,227						
	(23.0 FTE)						
(2) Programs	14,737,535						
	<u>16,957,762</u>						16,957,762
(E) Colorado First Customized Job Training							
	2,725,022					2,725,022 ^a	
^a This amount shall be from moneys appropriated in the Governor's Office.							
		52,843,669					
(8) AURARIA HIGHER EDUCATION CENTER¹⁵							
Administration		17,670,252				17,670,252 ^a	
						(166.3 FTE)	

			APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	ITEM & SUBTOTAL	TOTAL	\$	\$	\$	\$	\$

^a This amount shall be from the appropriations for the State Board of Community Colleges and Occupational Education, the Trustees of Metropolitan State College, and the Regents of the University of Colorado.

(9) STATE HISTORICAL SOCIETY

(A) Cumbres and Toltec

Railroad Commission	202,500	202,500					
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(B) Sponsored Programs	250,000				20,000 ^a		230,000 (3.5 FTE)
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^a This amount shall be from grants and contracts.

(C) Auxiliary Programs	1,551,313				1,551,313 ^a (14.5 FTE)		
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^a This amount shall be from museum shop sales, micro-photo services, public education programs, membership and publication services, traveling exhibits, rentals, special event fees, donations, and gifts.

(D) Gaming Revenue

Gaming Cities Distribution	5,272,879				5,272,879 ^a		
Statewide Preservation Grant Program	14,387,302				14,387,302 ^a (18.0 FTE)		
Society Museum and Preservation Operations	6,762,023 (89.9 FTE)				6,069,627 ^b		692,396
	<u>26,422,204</u>						

^a These amounts shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	28,426,017					
TOTALS PART VI (HIGHER EDUCATION)	<u>\$2,941,566,190</u>	<u>\$559,003,922</u>	<u>\$101,266,667^a</u>	<u>\$1,585,645,937</u>	<u>\$586,167,393</u>	<u>\$109,482,271</u>

^b Of this amount, \$5,272,879 shall be from Limited Gaming revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S., and \$796,748 shall be from museum admission fees, user charges, and other sources of cash funds.

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 12 Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, Enrollment/Tuition and Stipend Contingency -- The Colorado Commission on Higher Education may transfer spending authority from this line item to the Governing Boards in the event that tuition or stipend revenues increase beyond appropriated levels. The spending authority for this line item shall be in addition to the funds appropriated directly to the Governing Boards. The Colorado Commission on Higher Education shall not authorize transfers of spending authority from this line item to support tuition or fee increases.
- 13 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Work Study -- It is the intent of the General Assembly to allow the Colorado Commission on Higher Education to roll forward two percent of the Work Study appropriation to the next fiscal year.
- 14 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, National Guard Tuition Assistance Fund -- It is the intent of the General Assembly that only the minimum funds necessary to pay tuition assistance for qualifying applicants pursuant to Section 23-5-111.4, C.R.S. will be transferred to the National Guard Tuition Fund administered by the Department of Military Affairs. Any funds appropriated in this line item that are in excess of the minimum necessary to pay tuition assistance for qualifying applicants may be used for need-based financial aid.
- 15 Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges; and Auraria Higher Education Center -- Notwithstanding the limitations set forth in subsection (3) of section 1 of this act, the FTE reflected in these line items are shown for informational purposes and are not intended to be a limitation on the budgetary flexibility allowed by Section 23-1-104 (1) (a) (I), C.R.S.

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
16	Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges -- It is the intent of the General Assembly that no resident undergraduate student shall pay more tuition in FY 2010-11 than 9.0 percent over what they would have paid in FY 2009-10 for the same credit hours and course of study. It is the intent of the General Assembly that the institutions may increase all graduate and nonresident tuition rates to reflect market conditions and that any additional spending authority necessary to cover graduate and nonresident tuition rate increases will be addressed through a supplemental appropriation during the 2011 session.						
17	Department of Higher Education, Local District Junior College Grants Pursuant to Section 23-71-301, C.R.S. -- It is the intent of the General Assembly in making this appropriation that local district tax revenue supplement, rather than supplant, the amount of General Fund provided, and thus annual General Fund adjustments should be equitable with General Fund adjustments for the state-operated governing boards.						